IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5929 OF 2006

MANAGING DIRECTOR, RAJARAM
BAPU PATIL SAHAKARI SAKHAR
KARKHANA LTD. DIST.SANGLI. ... PETITIONERS.

VS.

SHRI ARVIND SHANKAR PATIL
AND ORS. ... RESPONDENTS.

MR. K.S.BAPAT GOT YHR PRYIYIONRT.

CORAM : A.P. DESHPANDE, J.
DATE : January 8, 2007.

P.C.

1. The Labour Court has passed an Order, declaring that the findingS of the Enquiry Officer are not based on the evidence in the enquiry and, therefore, the same are not justified. The impugned Order, however, permits the present petitioner/employer to prove the charges against the delinquent-employee by adducing proper evidence in the Court. Since the Industrial Court has concurred with the finding recorded by the Labour Court and as no prejudice, whatsoever, is caused to the Petitioner, inasmuch as the Petitioner has been permitted to lead the evidence before the Court to establish the misconduct. Hence, no cause for interference with the impugned Order, is made out. Hence, the writ petition is summarily rejected.

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[A.P.DESHPANDE, J.]